

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

II.

This Court has jurisdiction over this civil action pursuant to 28 U.S.C. § 1331, which provides that, “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” The FCRA is a federal law which creates private causes of action for conduct which falls under the auspices of the act. *See* 15 U.S.C. § 1681 (n)–(o). Therefore, the State Court action is properly removed to this Court on the basis of federal question jurisdiction.

III.

Removal is timely pursuant to 28 U.S.C. § 1446(b) as this Notice of Removal is being filed within thirty (30) days of SMI’s receipt of Plaintiff’s Complaint, wherein Plaintiff first set forth a claim giving rise to federal question jurisdiction pursuant to 28 U.S.C. § 1331.

IV.

Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders served upon SMI in the State Court action are included with this Notice of Removal.

V.

Concurrent with the filing of this Notice of Removal, notice is being given to all parties, and a copy of this Notice of Removal is being filed with the Clerk of Court for the Fourth Judicial District in and for Hennepin County, Minnesota.

WHEREFORE, Defendant, Sallie Mae, Inc., gives notice that the civil action, currently unassigned, filed in the District Court of the Fourth Judicial District, Hennepin County, Minnesota and styled as *Sheldon Owens v. Sallie Mae, Inc.*, is removed from there to the docket of this Court for trial and determination as provided by law. Sallie Mae, Inc. prays that this Court enters such orders and issues such processes as may be necessary and proper to bring before it a copy of all records and proceedings in State Court and thereupon proceed with this civil action as if it had originally commenced in this Court.

Dated: May 15, 2013

WINTHROP & WEINSTINE, P.A.

By s/Justice Ericson Lindell
Justice Ericson Lindell (MN Bar #312071)

225 South Sixth Street
Suite 3500
Minneapolis, MN 55402
Tel: (612) 604-6400
Fax: (612) 604-6800
jlindell@winthrop.com

Attorneys for Defendant

7910514v1